

1996

Lake Winona grants and legislative documents

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Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J

116J.551 Creation of account.

A contaminated site cleanup and development account is created in the general fund. Money in the account may be used, as appropriated by law, to make grants as provided in section 116J.554 and to pay for the commissioner's costs in reviewing applications and making grants.

HIST: 1993 c 375 art 13 s 1

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ask for list of
contaminants - see
P II

See P II for
personnel & phone numbers

List site as RB and LW
/ nutrients,
contaminated
with agricultural
soil, and
products of
eutrophication

too dry to be
a wetland
too low for
development

Gary Eddy MRCA

Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J**116J.552 Definitions.**

Subdivision 1. **Scope of application.** For purposes of sections 116J.551 to 116J.557, the following terms have the meanings given.

Subd. 2. **Cleanup costs.** "Cleanup costs" or "costs" means the costs of developing and implementing a response action plan, but does not include implementation costs incurred before the award of a grant unless the application for the grant was submitted within 180 days after the response action plan was approved by the commissioner of the pollution control agency.

Subd. 3. **Contaminant.** "Contaminant" means a hazardous substance or a pollutant or contaminant as those terms are defined in section 115B.02.

Subd. 4. **Development authority.** "Development authority" includes a statutory or home rule charter city, housing and redevelopment authority, economic development authority, and a port authority.

Subd. 5. **Metropolitan area.** "Metropolitan area" means the seven-county metropolitan area, as defined in section 473.121, subdivision 2.

Subd. 6. **Municipality.** "Municipality" means the statutory or home rule charter city, town, or, in the case of unorganized territory, the county in which the site is located.

Subd. 7. **Project costs.** "Project costs" includes cleanup costs for the site and the cost of related site acquisition, demolition of existing improvements, and installation of public improvements necessary for the development authority to implement the response action plan.

Subd. 8. **Response action plan.** "Response action plan" means a response action plan approved by the commissioner of the pollution control agency, including a "development action response plan" that meets the requirements of section 469.174, subdivision 17; and a "voluntary response action plan" under section 115B.175, subdivision 3.

} What would
Commissioner
approve
under this
situation

HIST: 1993 c 375 art 13 s 2; 1995 c 224 s 53; 1995 c 255 art 2 s 1

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Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J**116J.553 Grant applications.**

Subdivision 1. **Application required.** To obtain a contamination cleanup development grant, the development authority shall apply to the commissioner. The governing body of the municipality must approve, by resolution, the application.

Subd. 2. **Required content.** The commissioner shall prescribe and provide the application form. The application must include at least the following information:

- (1) identification of the site;
- (2) an approved response action plan for the site, including the results of engineering and other tests showing the nature and extent of the release or threatened release of contaminants at the site;
- (3) a detailed estimate, along with necessary supporting evidence, of the total cleanup costs for the site;
- (4) an appraisal of the current market value of the property, separately taking into account the effect of the contaminants on the market value, prepared by a qualified independent appraiser using accepted appraisal methodology;
- (5) an assessment of the development potential or likely use of the site after completion of the response action plan, including any specific commitments from third parties to construct improvements on the site;
- (6) the manner in which the municipality will meet the local match requirement; and
- (7) any additional information or material that the commissioner prescribes.

HIST: 1993 c 375 art 13 s 3

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????

~~Project~~ costs
7590

Need both

job creation
tax base increase

Minnesota Statutes 1996. Table of Chapters

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116J.554 Grants.

Subdivision 1. **Authority.** The commissioner may make a grant to an applicant development authority to pay for up to 75 percent of the cleanup costs for a qualifying site, except the grant may not exceed 50 percent of the project costs. The determination of whether to make a grant for a qualifying site is within the sole discretion of the commissioner, subject to the process provided by this section, and available unencumbered money in the appropriation. The commissioner's decisions and application of the priorities under section 116J.555 are not subject to judicial review, except for abuse of discretion.

Subd. 1a. **Metropolitan livable communities.** The commissioner may not make a grant to a municipality in the metropolitan area unless it is participating in the local housing incentives program under section 473.254.

Subd. 2. **Qualifying sites.** A site qualifies for a grant under this section, if the following criteria are met:

- (1) the site is not scheduled for funding during the current or next fiscal year under the Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, title 42, section 9601, et seq. or under the environmental response, and liability act under sections 115B.01 to 115B.24;
- (2) the appraised value of the site after adjusting for the effect on the value of the presence or possible presence of contaminants using accepted appraisal methodology (i) is less than 50 percent of the estimated cleanup costs for the site or (ii) is less than or equal to the estimated cleanup costs for the site and the cleanup costs equal or exceed \$3 per square foot for the site; and
- (3) if the proposed cleanup is completed, it is expected that the site will be improved with buildings or other improvements and these improvements will provide a substantial increase in the property tax base within a reasonable period of time or the site will be used for an important publicly owned or tax-exempt facility.

NO Superfund

Appraisal Current is less than 25% of full cost

HIST: 1993 c 375 art 13 s 4; 1995 c 255 art 2 s 3

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Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J**116J.555 Priorities.**

Subdivision 1. **Priorities.** (a) The legislature expects that applications for grants will exceed the available appropriations and the agency will be able to provide grants to only some of the applicant development authorities.

(b) If applications for grants for qualified sites exceed the available appropriations, the agency shall make grants for sites that, in the commissioner's judgment, provide the highest return in public benefits for the public costs incurred and that meet all the requirements provided by law. In making this judgment, the commissioner shall consider the following factors:

(1) the recommendations or ranking of projects by the commissioner of the pollution control agency regarding the potential threat to public health and the environment that would be reduced or eliminated by completion of each of the response action plans;

(2) the potential increase in the property tax base of the local taxing jurisdictions, considered relative to the fiscal needs of the jurisdictions, that will result from developments that will occur because of completion of each of the response action plans;

(3) the social value to the community of the cleanup and redevelopment of the site, including the importance of development of the proposed public facilities on each of the sites;

(4) the probability that each site will be cleaned up without use of government money in the reasonably foreseeable future;

(5) the amount of cleanup costs for each site; and

(6) the amount of the commitment of municipal or other local resources to pay for the cleanup costs.

The factors are not listed in a rank order of priority; rather the commissioner may weigh each factor, depending upon the facts and circumstances, as the commissioner considers appropriate. The commissioner may consider other factors that affect the net return of public benefits for completion of the response action plan. The commissioner, notwithstanding the listing of priorities and the goal of maximizing the return of public benefits, shall make grants that distribute available money to sites both within and outside of the metropolitan area. The commissioner shall provide a written statement of the supporting reasons for each grant. Unless sufficient applications are not received for qualifying sites outside of the metropolitan area, at least 25 percent of the money provided as grants must be made for sites located outside of the metropolitan area.

Subd. 2. **Application cycles; reporting to LCWM.** (a)

*Can I.W.
be considered
the polluted site?
(contaminated)
contaminated with e.g.
BOD, so proper
get comm
from them
"0" pt*

easy

*include plan
for manufacturing
soil*

*street cleanup
program
public education*

In making grants, the commissioner shall establish semiannual application deadlines in which grants will be authorized from all or part of the available appropriations of money in the account.

(b) After each semiannual cycle in which grants are awarded, the commissioner shall report to the environment and natural resources committees of the senate and house of representatives, the finance division of the senate committee on environment and natural resources, and the house of representatives committee on environment and natural resources finance the grants awarded and appropriate supporting information describing each grant made. This report must be made within 30 days after the grants are awarded.

(c) The commissioner shall annually report to the legislative commission on the status of the cleanup projects undertaken under grants made under the programs. The commissioner shall include in the annual report information on the cleanup and development activities undertaken for the grants made in that and previous fiscal years. The commissioner shall make this report no later than 120 days after the end of the fiscal year.

HIST: 1993 c 375 art 13 s 5; 1995 c 224 s 54; 1995 c 255 art 2 s 2; 1996 c 470 s 27

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Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J**116J.556 Local match requirement.**

(a) In order to qualify for a grant under sections 116J.551 to 116J.557, the municipality must pay for at least one-half of the project costs as a local match. The municipality shall pay an amount of the project costs equal to at least 12 percent of the cleanup costs from the municipality's general fund, a property tax levy for that purpose, or other unrestricted money available to the municipality (excluding tax increments). These unrestricted moneys may be spent for project costs, other than cleanup costs, and qualify for the local match payment equal to 12 percent of cleanup costs. The rest of the local match may be paid with tax increments, regional, state, or federal money available for the redevelopment of brownfields or any other money available to the municipality.

(b) If the development authority establishes a tax increment financing district or hazardous substance subdistrict on the site to pay for part of the local match requirement, the district or subdistrict is not subject to the state aid reductions under section 273.1399. In order to qualify for the exemption from the state aid reductions, the municipality must elect, by resolution, on or before the request for certification is filed that all tax increments from the district or subdistrict will be used exclusively to pay (1) for project costs for the site and (2) administrative costs for the district or subdistrict. The district or subdistrict must be decertified when an amount of tax increments equal to no more than three times the costs of implementing the response action plan for the site and the administrative costs for the district or subdistrict have been received, after deducting the amount of the state grant.

HIST: 1993 c 375 art 13 s 6; 1995 c 255 art 2 s 4

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Minnesota Statutes 1996, Table of Chapters

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116J.557 Cost recovery actions.

Subdivision 1. **Cause of action.** The attorney general or a development authority or municipality that incurs cleanup costs to implement an approved response action plan pursuant to sections 116J.551 to 116J.557, may bring an action under section 115B.04 or other law to recover the reasonable and necessary cleanup costs incurred by the development authority or municipality. The attorney general, development authority, or municipality may recover all cleanup costs incurred whether paid from the proceeds of a grant under sections 116J.551 to 116J.557 or funds of the development authority or municipality. Recoverable costs include administrative and legal costs related to the development and implementation of the response action plan but do not include any cost associated with development or redevelopment of property. A development authority or municipality must have the consent of the attorney general to bring or settle an action under this subdivision to recover cleanup costs paid from the proceeds of a grant.

Subd. 2. **Procedures.** The commissioner shall notify the attorney general when a grant is awarded under sections 116J.551 to 116J.557. Upon request of the attorney general the development authority shall prepare and submit a certification of the cleanup costs and shall cooperate in any cost recovery action brought by the attorney general under subdivision 1. Certification by the development authority of the cleanup costs incurred to develop and implement the approved response action plan is prima facie evidence that the costs are reasonable and necessary in any action brought under this section.

Subd. 3. **Attorney general assistance and costs.** (a) The attorney general may assist a development authority or municipality, if requested to do so, in bringing an action under subdivision 1 by providing legal and technical advice or other appropriate assistance. The attorney general shall not assess any fee to the development authority or municipality for the assistance but may recover the cost of the assistance as provided in paragraph (b).

(b) If the attorney general brings or assists in an action brought under subdivision 1, the reasonable litigation expenses or other costs of legal or technical assistance incurred by the attorney general must be deducted from any recovery and paid to the attorney general before proceeds of the recovery are otherwise distributed. The attorney general shall deposit any money so deducted in the general fund.

Subd. 4. **Disposition of recovered amounts.** Amounts recovered from responsible persons, after any deduction under subdivision 3, and all other amounts otherwise received by the municipality, the agency, or the attorney general for the site shall be used to reimburse the municipality and the account in proportion to their respective payments for response costs. The amount of recovered costs apportioned to tax increments must be treated by the municipality and development authority as an excess increment under section 469.176, subdivision 2.

HIST: 1993 c 375 art 13 s 7; 1994 c 465 art 2 s 1

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Minnesota Statutes 1996, Table of ChaptersTable of contents for Chapter 116J**116J.558 Effect of issuance of grants.**

The issuance of a contamination cleanup grant under sections 116J.551 to 116J.557 has no effect on the responsibility or the liability of the state, under chapter 115B or any other law, in relation to the contamination at a site or sites for which the grant is issued. The issuance of a grant neither implies any state responsibility for the contamination nor imposes any obligation on the state to participate in the cleanup of the contamination or in the cleanup costs beyond the amount of the grant.

HIST: 1994 c 643 s 54

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**MINNESOTA DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT
Business and Community Development Division**

To be
Revised

**Contamination
Cleanup
Grant
Application**

Judy -
you'll be getting
a notice in Aug.
regarding workshops
& revised Apps!
Call in the meantime
if you have questions!
muredoki

MINNESOTA DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

500 Metro Square
121 7th Place East
St. Paul, MN 55101

Contact: Meredith Udoibok, 612/297-4132

CONTAMINATION CLEANUP GRANT APPLICATION

The Contamination Cleanup Grant Program runs on a semiannual cycle. Deadlines for application are either November 15 or May 15 of each year. Applications must be received by the Department of Trade and Economic Development (DTED) by 4 p.m. on either date or must be postmarked by the application deadline date. You must submit the original application along with 2 copies. **NOTE:** An applicant can apply for more than one site. However, an application must be completed for each site individually.

Please fill out the entire application. All applications must be complete upon submission in order to qualify for a grant.

PURPOSE/BACKGROUND: The Contamination Cleanup Grant Program was established by the 1993 legislature to provide funds to clean up contaminated sites and provide a greater opportunity to convert contaminated property into a marketable asset. The main objective of this program is to serve the best interests and needs of communities by removing pollutants from sites within those communities in order to provide developable land and reduce the potential threat to public health and the environment. This grant program will provide a suitable means for parties to clean up and develop contaminated sites and allow for redevelopment.

The total legislative appropriation for this grant program is \$7.8 million of general fund monies for fiscal years 1996 and 1997. With semiannual grant cycles, this allows \$1,950,000 to be available per cycle for the biennium. Proceeds from the contamination tax are also applied to this program. Therefore, funding for grant cycles could increase depending on when DTED receives the contamination taxes from the Department of Revenue and depending on the amount collected.

The legislature has designated that 25% of available funds be spent on sites in Greater Minnesota unless sufficient applications are not received. This allows the grant program to assist with cleanup efforts statewide.

ELIGIBLE APPLICANTS: Eligible applicants for this program are statutory or home rule charter cities, economic development authorities, housing and redevelopment authorities, or port authorities.

QUALIFYING SITES: A site must meet each of the following criteria in order to qualify for the Contamination Cleanup Grant Program.

1) A grant cannot be given to a municipality in the Twin Cities Metropolitan Area unless it is participating in the Metropolitan Council's Local Housing Incentives Program. For information on how to participate in this program, call Hal Freshly at the Metropolitan Council at 612/291-6467.

2) A site qualifies for this grant program if it is not scheduled for funding under the Federal Superfund Program (United States Code, title 42, section 9601 et seq.) or the Environmental Response and Liability Act (MN Statutes 115B.01 to 115B.24). To check if your site is on either of these lists and is receiving funding, contact Ron Swenson at 612/297-1793 or Rich Sandberg at 612/296-7201 with the Preliminary Assessment/Site Investigation Unit at the Minnesota Pollution Control Agency (MPCA).

3) If the site contains contaminants, pollutants or hazardous substances as referenced in Minnesota Statutes 115B.02, it qualifies for this program. Minnesota Statutes 115B.02 excludes petroleum as a qualifying substance and therefore petroleum sites are not eligible for this grant program. Asbestos is also excluded. However, most other contaminants, pollutants or hazardous substances will qualify. If you have any questions about specific substances and their eligibility you are encouraged to call the Site Response Section at the MPCA at 612/296-7758 or Pat Matuseski at 612/297-8337.

4) A site qualifies for this grant program if the appraised value of the site with contaminants (pre-cleanup) is less than 50% of the estimated cleanup costs (the cost of implementing a response action plan) or is less than or equal to the estimated cleanup costs for the site and the cleanup costs equal or exceed \$3 per square foot. Accepted appraisal methodology and independent appraisers must be used in appraising the site.

5) Finally, a site will qualify for this grant program if it is expected that the site will be improved with buildings or other improvements and that these buildings or improvements will provide a substantial increase in the property tax base or will be used for an important publicly owned or tax exempt facility.

The above criteria are aligned with the major goals of this program; public benefits, redevelopment and economic development. In order to disburse monies to a wider range of contaminated sites, we will not fund sites already receiving federal or state funding under the Superfund program nor will we duplicate efforts by funding sites already receiving funding under any other state program (i.e. Department of Agriculture's ACRRA program, other MPCA programs including Petrofund, etc.).

REQUIRED BUDGET/SCHEDULE: It is required that you submit a detailed line item budget outlining the cleanup cost as well as the total project cost for the site as outlined below.

The line item budget must outline the cleanup cost, which means, by definition for this program, "the costs of developing and implementing a response action plan , but does not include implementation costs incurred before the award of a grant unless the application for the grant was submitted within 180 days after the response action plan was approved by the commissioner of the pollution control agency." This means site assessment/testing and cleanup are eligible for grant funds. It also means that you can begin to implement your approved response action plan (or cleanup the site) before you are awarded a grant if you applied for the grant within 180 days of the MPCA approving your response action plan and have those implementation costs eligible for reimbursement if you receive a grant. This is done, of course, at the discretion and risk of the applicant. Implementation of the RAP prior to a grant award doesn't obligate DTED to reimburse the costs incurred nor provide funding to complete the RAP if a grant is not awarded. **All approved response actions and site assessment costs should be itemized with a corresponding expense.**

The line item budget must also include the project cost, defined in this program as, "the cleanup costs for the site (see above definition), and the cost of related site acquisition, demolition of existing improvements, and installation of public improvements necessary for the applicant to implement the response action plan." **These costs must also be itemized with a corresponding expense.** NOTE: Project administration is not a grant eligible expense.

You must also submit a detailed project schedule outlining the individual tasks and schedules of the overall project (this will include the cleanup of the site as well as the timeline for development after cleanup). Please keep in mind, however, that the grant can only be used for the cleanup of the site. This will include, but is not limited to, schedules on site assessment/testing, cleanup, demolition, construction, or any other project activities. A project schedule form is provided on page 9.

LOCAL MATCH REQUIREMENT: It is required that the municipality in which the site is located pay for one-half of the project cost as a local match to obtain a state grant. The municipality shall pay an amount equal to 12 percent of the cleanup costs from the municipality's general fund, a property tax levy or other unrestricted money available to the municipality. Tax increments may not be used for this purpose. Unrestricted money may be spent for project costs, other than cleanup costs and still qualify for the local match payment equal to 12 percent of the cleanup costs.

The rest of the local match may be paid with tax increments, regional, state or federal money available for the redevelopment of brownfields (including money from the Metropolitan Council's Tax Base Revitalization Account for metro applicants) or any other money available to the municipality. If the applicant establishes a TIF district or hazardous substance subdistrict on the site to pay for part of the local match requirement, the district or subdistrict

is not subject to the state aid reductions under MS 273.1399. In order to qualify for the exemption from the state aid reductions, the municipality must elect, by resolution, on or before the request for certification is filed, that all tax increments for the district or subdistrict will be used exclusively to pay (1) project costs for the site and (2) administrative costs for the district or subdistrict. The district or subdistrict must be decertified when an amount of tax increments equal to no more than three times the costs of implementing the response action plan for the site and the administrative costs for the district or subdistrict have been received, after deducting the amount of the state grant.

LOCAL MATCH EXAMPLE:

Expenses:

Cleanup Cost	\$100,000
Total Project Cost	
Demolition	\$ 50,000
Cleanup Cost (see above)	<u>\$100,000</u>
	\$150,000

Funding Formula:

1/2 of Total Project Cost = \$75,000 (this is your local match)

12% of Cleanup Cost = \$12,000 (must come from property tax levy, etc. as described above)

\$75,000 - \$12,000 = \$63,000 (must come from TIF, etc. as described above)

Please note that the grant can pay for up to 75% of the cleanup cost, not to exceed 50% of the project cost. Therefore, while the statute requires the applicant to demonstrate a local match of 50% of the project cost, the municipality may end up paying more, depending on how their cleanup and project costs fit into this formula. In other words, if the applicant receives a grant, the amount of the grant will either be 75% of the cleanup costs or 50% of the project costs, whichever is less. Thus, the municipality either pays 25% of the cleanup costs or 50% of the project cost, whichever is more.

APPRAISALS: An appraisal of the current market value of the property (with contaminants) and an appraisal of the site after cleanup are required. Both values may be included in a single appraisal. The required appraisal must be prepared by a qualified independent appraiser using accepted appraisal methodology. No other appraisals will be accepted.

AWARDING GRANTS: Due to environmental contamination that has affected many communities throughout Minnesota, a large number of applicants are expected to apply for the contamination cleanup grants. The law allows the Department of Trade and Economic Development to make grants for sites that provide the highest return in public benefits for the public costs incurred and that meet all the statutory requirements. In order to evaluate the applications for public benefits with respect to the costs incurred, the law specifies priorities which DTED must consider. To fulfill this requirement of reviewing applications in an

objective and fair manner, the following required criteria have been assigned maximum point values in order to systematically award grants. All assigned scores will be relative to scores awarded to other applications.

1. The potential increase in the property tax base of the local taxing jurisdictions relative to the fiscal needs of the jurisdictions, that will result from developments that will occur because of completion of each of the approved response actions. Maximum = 30 points.
2. The social value to the community that will result from cleaning up and redeveloping the site. In order to evaluate social value, the application requires that you indicate the estimated number of jobs that will be created through developing the site after cleanup, the value of the public and private investment, removal of blighting influences and the reduction or elimination of health threats. Maximum = 30 points.
3. All applications will be forwarded to the MPCA. MPCA staff will review and rank each application according to the potential threat to human health and the environment that would be reduced or eliminated by completion of each of the response action plans. Maximum = 30 points.
4. The likelihood that each site will be cleaned up without use of government money in the reasonably foreseeable future. Maximum = 10 points.
5. The amount of cleanup costs for each site in inverse relationship to the public benefits derived from the cleanup. Maximum = 20 points.
6. The amount and level of the commitment of municipal or other local resources to pay for the cleanup costs. Maximum = 10 points.

IMPORTANT: Some of the information required on the following pages may be included in your MPCA approved Response Action Plan (RAP) or, if you are applying for Metropolitan Council money, the Metropolitan Council's Tax Base Revitalization Program. Rather than duplicate this information on DTED forms, you may simply attach excerpts from your approved RAP or Tax Base Revitalization application. Be sure to highlight the applicable information and indicate on this application which information you are submitting excerpts for.

For your convenience, an application checklist has been included on page 14.

I.

REQUIRED INFORMATION - SITE IDENTIFICATION/GENERAL PROJECT INFORMATION

HISTORY

1. Please attach a brief synopsis on the history and general background of this site and project (limit to 3 pages).

GENERAL INFORMATION

2. Applicant _____

Project Contact Person _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ / _____ - _____ Fax _____ / _____ - _____

3. Municipality (if applicant is an EDA, HRA or Port Authority) _____

4. If the site is located in the seven-county metropolitan area as defined in MS 473.121, Subd. 2, you must be participating in the Metropolitan Council's Housing Incentives Program to qualify for this grant. Please attach a copy of your city council resolution required by the Metropolitan Council indicating your election to participate in the program.

SITE INFORMATION

5. Name of Site: _____
(Bldg Name, Location Reference, etc.)

Site Address : _____

City (or Township) _____ State _____ Zip Code _____

6. Site Contact Person (if different than project contact) _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ / _____ - _____

7. Current Property Owner _____ Title _____

Address _____

City _____ State _____ Zip Code _____

Phone _____ / _____ - _____

8. Names(s) of current environmental consultant and legal counsel if applicable

Consultant _____ Phone _____

Attorney _____ Phone _____

9. Legal description of site:

10. Attach an accurate and legible site map excerpt from the RAP showing locations of prominent and relevant site features such as buildings, retaining walls, etc. (NOTE: site map shall include property boundaries, a north arrow and bar scale)

11. Square footage of site _____ Acres of site _____

12. Zoning/Land Use:

A. Current: Industrial _____ Commercial _____ Residential _____
Mixed-use _____
Other (Specify) _____

B. After Cleanup: Industrial _____ Commercial _____ Residential _____
Mixed-use _____
Other (Specify) _____

13. Economic condition:
Vacant lot _____ Developed site _____ Other (Specify) _____
Occupied _____
14. How many buildings on site?
Commercial _____ Residential _____
15. Is demolition required? _____
16. Year building was built: _____

II. REQUIRED INFORMATION- CONTAMINATION

17. You must attach a copy of the final approval letter to your Response Action Plan from the Minnesota Pollution Control Agency. Also, attach excerpts from the RAP that indicate the extent to which the site is contaminated (including an acceptable cleanup number if available), the long term affects of the proposed cleanup (permanence of the removal and treatment of contaminants), the technical means of cleanup. Excerpts describing the nature of the problem along with the source of the contaminants must be included as well.

18. You must provide a detailed project schedule outlining the individual tasks and schedules of the overall project (cleanup and redevelopment). There is a project schedule on page 9 that you are required to complete. Indicate on this form the individual tasks involved in the project (timelines for implementing response actions/cleanup, construction, demolition or any other project activities) and the expected month and year of the activity.

19. If the site is involved with other regulatory or funding programs (i.e., Department of Natural Resources, Department of Agriculture, MPCA Hazardous Waste, etc.) please indicate in the space below:

Program Name	Dept
Contact Name	\$ Funding Commitment

Program Name	Dept
Contact Name	\$ Funding Commitment

III.

REQUIRED INFORMATION -COST ANALYSIS

Please note that a grant may pay for up to 75% of the cleanup costs for a qualifying site but may not exceed 50% of the project cost. See explanation under 'Local Match Requirement' on page III.

COSTS

20. The following are required to evaluate costs of cleanup. Please attach the following. Label each attachment with the titles listed in letters A - E below.

- A. A detailed line item cleanup budget (see page II for definition of cleanup costs).
- B. A detailed line item project budget (see page II for definition of project costs).
- C. An appraisal of the current market (pre-cleanup) value of the property.
- D. An appraisal of the value of the site after cleanup (post cleanup).

PROPERTY TAXES

- 21. What are the property taxes on this property for the current year? \$ _____
- 22. What is the projected property tax on the site after cleanup? \$ _____
 - A. How was this figure determined? _____
 - B. Who determined it? _____

FINANCING

23. Please submit an audit, or financial statement if an audit is not available, from the municipality in which the site is located.

24. Is there a possibility that the site will be cleaned up without government money?

A. If yes, what are the sources of funding and dollar commitment from each?

Source	Funding Amount
_____	\$ _____
_____	\$ _____

B. If no, what efforts have been made to secure other funding?

Attach letters of rejection for funding requests, city council minutes, etc. Also attach a narrative explaining why the project can't be financed exclusively with local resources. Explain cash reserves that may appear in your audit. Are they dedicated to other capital improvement projects? If so, how much?

C. Are there any commitments from the municipality or other local resources to contribute to cleanup costs other than the required local match?

D. If yes, what are they?

Source of Commitment	Dollar Amount
	\$
	\$
	\$
	\$
	\$
	\$

E. Is a cost recovery plan to recover costs from responsible parties in place? If so, what is the plan and amount of costs to be recovered? Has consent of the Attorney General been attained? **NOTE:** It is not required that you have a plan to recover costs from the party responsible for the contamination. However, if you are planning on recovering your costs from the responsible party, attach information on the process.

F. Local Match Requirement.

I. 1/2 of the Project Cost = _____ (this is the amount you must pay in local match)

II. 12% of the Cleanup Cost = _____ (this amount must come from the municipality's general fund, a property tax levy for that purpose, or other unrestricted money available to the municipality (excluding TIF). Unrestricted money can be funds spent on project costs other than cleanup costs and qualify here). Please list source and amount below.

Source	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

III. Subtract figure II. from I. above. This is the remaining amount of the local match that must be met. This money may come from TIF, regional, state, or federal money available for the redevelopment of brownfields or any other money available to the municipality. Please list source and amount below.

Source	Amount
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

GRAND TOTAL (This should equal local match in I. above) \$ _____

IV.

REQUIRED INFORMATION - DEVELOPMENT ASSESSMENT POTENTIAL AFTER CLEANUP

POST CLEANUP DEVELOPMENT

25. What are the development plans for the site after cleanup and implementation of the RAP? Please specify development projects (business name, public facility, etc.).

26. Will the site be improved with buildings or other improvements? When will these improvements begin (this should correspond to the project schedule on page 9)?

27. Is there a commitment from a third party to develop the site after cleanup?
If yes, attach commitment letters, capitol improvement plans, city council resolutions, etc.

28. What is the estimated cost of these developments? \$_____

29. What is the expected property tax increase for these improvements/developments? Refer to the local taxing jurisdiction's tax capacity value. \$_____

REQUIRED - ADDITIONAL INFORMATION

30. If the applicant intends to develop the site after cleanup, please project the number of private sector jobs created after cleanup and development of site (attach additional pages if necessary).

8

[illegible]

VII.

THIRD PARTY/COMPANY COMMITMENT INFORMATION

If there is a commitment from a third party to develop on the site after cleanup, please complete the following:

31. Third Party/Company Name: _____

32. Contact Person: _____

Title: _____

Phone Number (include area code): _____

33. 1. Standard Industrial Code Number(s): _____

2. Employer's Identification Numbers:

State _____

Federal _____

VIII

PAYMENT INFORMATION

Payment Information

Mailing Address: _____

Contact Person: _____

Telephone Number (include area code): _____

Fax Number (include area code): _____

Minnesota Identification Number: _____

Federal Employer Identification Number: _____

IX.

REQUIRED MATERIAL - LOCAL GOVERNMENT RESOLUTION

You must attach a resolution approving this application and committing the local match from the governing body of the municipality in which the site is located. A blank resolution has been attached for your convenience. You may chose to re-format this resolution but make sure to include all the statements that appear in the resolution.

RESOLUTION OF APPLICANT.

Applicants must adopt and submit the following resolution. This resolution must be adopted prior to submission of the application package.

BE IT RESOLVED that _____ act as the legal sponsor for project(s)

(Applicant)

contained in the Contamination Cleanup Grant Program to be submitted on _____

(Day, Month, Year)

and that _____ is hereby authorized to apply to the Department of

(Title of Authorized Official)

Trade and Economic Development for funding of this project on behalf of

(Applicant)

BE IT FURTHER RESOLVED that _____ has the legal authority to

(Applicant)

apply for financial assistance, and the institutional, managerial, and financial capability to ensure adequate project administration.

BE IT FURTHER RESOLVED that the sources and amounts of the local match identified in the application are committed to the project identified.

BE IT FURTHER RESOLVED that _____

(Applicant)

has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion,

conflict of interest or other unlawful or corrupt practice.

BE IT FURTHER RESOLVED that upon approval of its application by the state,

_____ may enter into an agreement with the State of Minnesota for
(Applicant)

the above referenced project(s), and that _____ certifies that it will comply with
(Applicant)

all applicable laws and regulation as stated in all contract agreements.

NOW, THEREFORE BE IT RESOLVED that _____ is hereby
(Title of Authorized Official)

authorized to execute such agreements as are necessary to implement the project(s) on behalf
of the applicant.

I CERTIFY THAT the above resolution was adopted by the _____
(City Council, County Board, etc.)

of _____ on _____
(Applicant) (Date)

SIGNED:

WITNESSED:

(Authorized Official)

(Signature)

(Title) (Date)

(Title) (Date)

APPLICATION PACKAGE ATTACHMENT CHECKLIST

- I. Site Identification/General Project Information _____
Attachments:
1. Site History/Background Narrative _____
2. City Council Resolution for Met. Council's Housing Incentives Program (metro applicants only) _____
3. Site Map _____
- II. Contamination Information _____
Attachments:
1. RAP approval letter _____
2. Required RAP excerpts _____
 A. Extent of Site Contamination _____
 B. Long Term Effects of Cleanup _____
 C. Technical Means of Cleanup _____
 D. Nature of Problem/Source Analysis _____
 E. Schedule for Implementing Response Actions and Redevelopment _____
- III. Cost Analysis _____
Attachments:
1. Line item cleanup budget _____
2. Line item project budget _____
3. Appraisal (with contaminants) _____
4. Appraisal (without contaminants) _____
5. Audit from municipality _____
6. Local Resources Financing Narrative _____
7. Audit Reserve Narrative _____
8. Cost Recovery Plan (if applicable) _____
- IV. Development Assessment Potential After Cleanup _____
Attachments:
1. Third party commitment Letters, etc _____
- V. Jobs Creation _____
- VI. Project Schedule. _____
- VII. Third Party/Company Commitment Information _____
- VIII. Payment Information _____
- IX. Local Government Resolution _____

**This conference committee report
was drafted and approved by the
Revisor's Office**

Date _____

CONFERENCE COMMITTEE REPORT ON H.F. NO. 632

A bill for an act

relating to public administration; modifying requirements for spending to improve the capitol area and construct bridges, environmental learning centers, and community performing arts centers; appropriating money; amending Laws 1994, chapter 643, sections 3, subdivision 2; 15, subdivisions 2 and 4; and 23, subdivision 28, as amended; and Laws 1996, chapter 463, sections 13, subdivision 2; and 24, subdivision 8; repealing Laws 1996, chapter 463, section 7, subdivision 26.

May 19, 1997

The Honorable Phil Carruthers
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H.F. No. 632, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 100 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [CAPITAL IMPROVEMENTS APPROPRIATIONS.]

The sums in the column under "APPROPRIATIONS" are appropriated from the bond proceeds fund, or another named fund, to the state agencies or officials indicated, to be spent to acquire and to better public land and buildings and other public

1 improvements of a capital nature, as specified in this act.

2 SUMMARY

3 MINNESOTA STATE COLLEGES AND UNIVERSITIES	\$ 4,500,000
4 NATURAL RESOURCES	4,000,000
5 POLLUTION CONTROL AGENCY	7,400,000
6 PUBLIC FACILITIES AUTHORITY	7,000,000
7 AGRICULTURE	4,000,000
8 ADMINISTRATION	74,035,000
9 TRADE AND ECONOMIC DEVELOPMENT	7,000,000
10 TRANSPORTATION	3,000,000
11 BOND SALE EXPENSES	90,000
12 TOTAL	\$ 111,025,000
13 Bond Proceeds Fund	86,625,000
14 Transportation Fund	3,000,000
15 General Fund	13,600,000
16 Motor Vehicle Transfer Fund	7,800,000

17 APPROPRIATIONS
18 \$

19 Sec. 2. MINNESOTA STATE COLLEGES
20 AND UNIVERSITIES

21 Hibbing Community and 22 Technical Colleges	4,500,000
---	-----------

23 This appropriation is to the board of
24 trustees of the Minnesota state
25 colleges and universities to construct
26 additions and install related
27 electrical and mechanical utilities at
28 the community college site to prepare
29 for collocation of programs.

30 Sec. 3. NATURAL RESOURCES

31 Flood Damage Reduction	4,000,000
---------------------------	-----------

32 This appropriation is to the
33 commissioner of natural resources to
34 fund flood damage reduction projects
35 under Minnesota Statutes, section
36 103F.161, including the nonfederal
37 portion of federal hazard mitigation
38 grant program projects. The
39 appropriation is available until
40 expended.

41 Sec. 4. POLLUTION CONTROL AGENCY

42 Subdivision 1. To the commissioner 43 of the pollution control agency for the 44 purposes specified in this section	7,400,000
45 Subd. 2. Individual Sewage Treatment Grants	1,000,000

1 This one-time appropriation is from the
2 general fund for grants to
3 municipalities for the purposes
4 specified in Minnesota Statutes,
5 section 116.18, subdivision 3c.

6 For purposes of grants awarded under
7 this section, the definition of
8 "individual on-site treatment system"
9 in Minnesota Statutes, section 116.18,
10 subdivision 3c, paragraph (b), also
11 includes an alternative discharging
12 sewage system serving one or more
13 dwellings and other establishments that
14 discharges less than 10,000 gallons of
15 water per day and uses any treatment
16 and disposal methods other than
17 subsurface soil treatment and disposal,
18 as permitted under Minnesota Statutes,
19 section 115.58.

20 Up to ten percent of this appropriation
21 may be used for administration of the
22 grants.

23 Subd. 3. Environmental Response,
24 Compensation, and Compliance

6,400,000

25 This appropriation is from the motor
26 vehicle transfer fund for transfer to
27 the environmental response,
28 compensation, and compliance fund and
29 is appropriated for the purposes
30 provided in Minnesota Statutes, chapter
31 115B. This amount must be included in
32 the agency's budgetary base for the
33 next biennium.

34 Sec. 5. PUBLIC FACILITIES AUTHORITY

35 Wastewater Infrastructure Fund Loans

7,000,000

36 \$3,000,000 of this appropriation is
37 from the general fund.

38 This appropriation is to the public
39 facilities authority for loans to
40 eligible municipalities under the
41 wastewater infrastructure funding
42 program established in Minnesota
43 Statutes, section 446A.072.

44 From this appropriation, the public
45 facilities authority shall provide
46 supplemental assistance to a
47 municipality that, before the first
48 loans were made from the wastewater
49 infrastructure fund, incurred increased
50 project costs as a result of a
51 wastewater discharge into outstanding
52 resource value water. "Outstanding
53 resource value water" is water that has
54 high water quality, wilderness
55 characteristics, unique scientific or
56 ecological significance, exceptional
57 recreational value, or other special
58 qualities that warrant stringent
59 protection from pollution. The amount
60 of supplemental assistance under this
61 paragraph is up to 100 percent of the

1 increased project costs to comply with
2 the applicable discharge restrictions.
3 The agency shall determine the amount
4 of project costs attributable to the
5 discharge restrictions to the
6 outstanding resource value water. A
7 municipality may appeal the agency's
8 determination to the public facilities
9 authority within 60 days of
10 notification of the determination.

11 The public facilities authority, in
12 conjunction with the pollution control
13 agency, shall analyze and report to the
14 legislature by January 15, 1998, the
15 long-term financial implications to the
16 wastewater infrastructure fund of
17 providing supplemental assistance for
18 increased costs incurred for projects
19 that discharge wastewater into
20 outstanding resource value water.

21 Sec. 6. AGRICULTURE

22 Individual Sewage Treatment Systems 4,000,000

23 This one-time appropriation from the
24 general fund is to the commissioner of
25 agriculture to provide loans to
26 counties for loans to property owners
27 under Minnesota Statutes, section
28 17.117 or 115.57.

29 Individual counties may elect to apply
30 for and administer the loans under the
31 agricultural best management loan
32 practices program established in
33 Minnesota Statutes, section 17.117, or
34 under section 115.57. Regardless of
35 the section a county applies under, the
36 commissioner shall review and rank
37 allocation requests from counties under
38 the procedure and relevant criteria
39 listed in Minnesota Statutes, section
40 17.117, subdivision 9. Loans made
41 under Minnesota Statutes, section
42 17.117, with money appropriated under
43 this section must be used for site
44 evaluation, design, installation,
45 repair, and replacement of individual
46 sewage treatment systems only.
47 Notwithstanding the eligibility
48 criteria in Minnesota Statutes, section
49 17.117, subdivisions 1; and 4,
50 paragraph (e), all private landowners
51 in a county may apply for loans made
52 under this section. Loans made under
53 Minnesota Statutes, section 115.57, may
54 be used for any of the purposes
55 specified in that section. Counties
56 receiving funds under this section must
57 use the funds to administer loan
58 programs on a countywide basis.

59 Sec. 7. TRADE AND ECONOMIC DEVELOPMENT

60 Contaminated Site Cleanup 7,000,000

61 \$5,600,000 of this appropriation is
62 from the general fund.

1 \$1,400,000 of this appropriation is
2 from the motor vehicle transfer fund.

3 This appropriation is for transfer to
4 the contaminated site cleanup and
5 development account and is appropriated
6 for the purposes specified in Minnesota
7 Statutes, section 116J.551. Of this
8 amount, \$7,000,000 must be included in
9 the department's budget base for the
10 next biennium.

11 Sec. 8. TRANSPORTATION

12 Local Bridge Replacement and
13 Rehabilitation 3,000,000

14 This appropriation is from the
15 transportation fund as provided in
16 Minnesota Statutes, section 174.50, to
17 match federal funds and to replace or
18 rehabilitate local deficient bridges.

19 Political subdivisions may use grants
20 made under this section to construct or
21 reconstruct bridges, including:

22 (1) matching federal-aid grants to
23 construct or reconstruct key bridges;

24 (2) paying the costs to abandon an
25 existing bridge that is deficient and
26 in need of replacement, but where no
27 replacement will be made;

28 (3) paying the costs to construct a
29 road or street to facilitate the
30 abandonment of an existing bridge
31 determined by the commissioner to be
32 deficient, if the commissioner
33 determines that construction of the
34 road or street is more cost-efficient
35 than the replacement of the existing
36 bridge; and

37 (4) paying the costs of preliminary
38 engineering and environmental studies
39 authorized under Minnesota Statutes,
40 section 174.50, subdivision 6a.

41 Sec. 9. BOND SALE EXPENSES 90,000

42 To the commissioner of finance for bond
43 sale expenses under Minnesota Statutes,
44 section 16A.641, subdivision 8.

45 Sec. 10. [BOND SALE AUTHORIZATIONS.]

46 Subdivision 1. [BOND PROCEEDS FUND.] To provide the money
47 appropriated in this act from the bond proceeds fund the
48 commissioner of finance, on request of the governor, shall sell
49 and issue bonds of the state in an amount up to \$86,625,000 in
50 the manner, upon the terms, and with the effect prescribed by
51 Minnesota Statutes, sections 16A.631 to 16A.675, and by the
52 Minnesota Constitution, article XI, sections 4 to 7.

1 Subd. 2. [TRANSPORTATION FUND.] To provide the money
2 appropriated in this act from the state transportation fund, the
3 commissioner of finance, on request of the governor, shall sell
4 and issue general obligation bonds of the state in an amount up
5 to \$3,000,000 in the manner, upon the terms, and with the effect
6 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675,
7 and by the Minnesota Constitution, article XI, sections 4 to 7.
8 The proceeds of the bonds, except accrued interest and any
9 premium received on the sale of the bonds, must be credited to a
10 bond proceeds account in the state transportation fund.

11 Sec. 11. Minnesota Statutes 1996, section 16B.335,
12 subdivision 3, is amended to read:

13 Subd. 3. [PREDESIGN REQUIREMENT.] The definitions in
14 paragraphs (a) and (b) apply to this section.

15 (a) "Predesign" means the stage in the development of a
16 project during which the purpose, scope, cost, and schedule of
17 the complete project are defined and instructions to design
18 professionals are produced.

19 (b) "Design" means the stage in the development of a
20 project during which schematic, design development, and contract
21 documents are produced.

22 (c) A recipient to whom an appropriation is made for a
23 project subject to review under subdivision 1 or notice under
24 subdivision 2 shall prepare a predesign package and submit it to
25 the commissioner for review and recommendation before proceeding
26 with design activities. The commissioner must complete the
27 review and recommendation within ten working days after
28 receiving it. Failure to review and recommend within the ten
29 days is considered a positive recommendation. The predesign
30 package must be sufficient to define the purpose, scope, cost,
31 and schedule of the project and must demonstrate that the
32 project has been analyzed according to appropriate space needs
33 standards.

34 Sec. 12. Minnesota Statutes 1996, section 115C.09, is
35 amended by adding a subdivision to read:

36 Subd. 3e. [REIMBURSEMENTS; SMALL GASOLINE RETAILERS.] (a)

1 As used in this subdivision, "small gasoline retailer" means a
2 responsible person who owns no more than one location where
3 motor fuel was dispensed into motor vehicles or aircraft in the
4 previous year.

5 (b) For eligible applicants who are small gasoline
6 retailers that have dispensed less than 500,000 gallons of motor
7 fuel during the most recent calendar year that petroleum
8 products were dispensed at the location owned by the retailer,
9 the board shall reimburse the applicant for 90 percent of the
10 applicant's total reimbursable cost for tank removal projects
11 started after January 1, 1997, including, but not limited to,
12 closure in place, backfill, resurfacing, and utility service
13 restoration costs, provided that the tank involved is a
14 regulated underground storage tank.

15 (c) For eligible applicants who are small gasoline
16 retailers that have dispensed less than 250,000 gallons of motor
17 fuel during the most recent calendar year that petroleum
18 products were dispensed at the location owned by the retailer,
19 provided that the tank involved is a regulated underground
20 storage tank, the board shall reimburse the applicant for 95
21 percent of the following costs:

22 (1) tank removal costs described in paragraph (b); and
23 (2) petroleum contamination cleanup as provided under
24 subdivision 1.

25 (d) This subdivision expires January 1, 2000.

26 Sec. 13. Minnesota Statutes 1996, section 116.18,
27 subdivision 3c, is amended to read:

28 Subd. 3c. [INDIVIDUAL ON-SITE TREATMENT SYSTEMS PROGRAM.]

29 (a) Beginning in fiscal year 1989, up to ten percent of the
30 money to be awarded as grants under subdivision 3a in any single
31 fiscal year, up to a maximum of \$1,000,000, may be set aside for
32 the award of grants by the authority agency to municipalities to
33 reimburse owners of individual on-site wastewater treatment
34 systems for a part of the costs of upgrading or replacing the
35 systems.

36 (b) An individual on-site treatment system is a wastewater

1 treatment system, or part thereof, that uses soil treatment and
2 disposal technology to treat 5,000 gallons or less of wastewater
3 per day from dwellings or other establishments.

4 (c) Municipalities may apply yearly for grants of up to 50
5 percent of the cost of replacing or upgrading individual on-site
6 treatment systems within their jurisdiction, up to a limit of
7 \$5,000 per system or per connection to a cluster system. Before
8 agency approval of the grant application, a municipality must
9 certify that:

10 (1) it has adopted and is enforcing the requirements of
11 Minnesota Rules governing individual sewage treatment systems;

12 (2) the existing systems for which application is made do
13 not conform to those rules, ~~were-constructed-prior-to-January-1,~~
14 ~~1977~~ are at least 20 years old, do not serve seasonal
15 residences, and were not constructed with state or federal
16 funds; and

17 (3) the costs requested do not include administrative
18 costs, costs for improvements or replacements made before the
19 application is submitted to the ~~authority~~ agency unless it
20 pertains to the plan finally adopted, and planning and
21 engineering costs other than those for the individual site
22 evaluations and system design.

23 (d) The federal and state regulations regarding the award
24 of state and federal wastewater treatment grants do not apply to
25 municipalities or systems funded under this subdivision, except
26 as provided in this subdivision.

27 ~~(e) The-authority-shall-award-individual-on-site-wastewater~~
28 ~~treatment-grants-to-municipalities-selected-by-the-state~~
29 ~~pollution-control-commissioner-upon-certification-by-the-state~~
30 ~~pollution-control-commissioner-that-the-municipalities~~
31 ~~applications-have-been-reviewed-and-approved-in-accordance-with~~
32 ~~this-subdivision-and-agency-rules-adopted-under-paragraph-(f).~~

33 (f) The agency shall adopt permanent rules regarding
34 priorities, distribution of funds, payments,
35 inspections, procedures for administration of the agency's
36 duties, and other matters that the agency finds necessary for

1 proper administration of grants awarded under this subdivision.

2 ~~(g)-The-commissioner-of-trade-and-economic-development-may~~
3 ~~adopt-rules-containing-procedures-for-administration-of-the~~
4 ~~authority's-duties-as-set-forth-in-paragraph-(e)-~~

5 Sec. 14. Minnesota Statutes 1996, section 116J.554,
6 subdivision 1, is amended to read:

7 Subdivision 1. [AUTHORITY.] (a) The commissioner may make
8 a grant to an applicant development authority to pay for up to
9 75 percent of the cleanup project costs for a qualifying site,
10 ~~except-the-grant-may-not-exceed-50-percent-of-the-project-costs.~~

11 (b) The commissioner may also make a grant to an applicant
12 development authority to pay up to 75 percent or \$50,000,
13 whichever is less, toward the cost of performing contaminant
14 investigations and the development of a response action plan for
15 a qualifying site.

16 (c) The commissioner may also make a grant to an applicant
17 to fill a site that would represent more than 50 percent of the
18 remaining land in a city suitable for industrial development if
19 it were properly filled.

20 (d) The determination of whether to make a grant for a
21 qualifying site is within the sole discretion of the
22 commissioner, subject to the process provided by this section,
23 and available unencumbered money in the appropriation. The
24 commissioner's decisions and application of the priorities under
25 section 116J.555 are not subject to judicial review, except for
26 abuse of discretion.

27 (e) The total amount of money provided in grants under
28 paragraph (b) may not exceed \$250,000 per fiscal year.

29 (f) In making grants under paragraph (b), the commissioner
30 shall give priority to applicants that have not received a grant
31 under paragraph (a) or section 473.252 during the year ending on
32 the date of application.

33 Sec. 15. Minnesota Statutes 1996, section 116J.554,
34 subdivision 2, is amended to read:

35 Subd. 2. [QUALIFYING SITES.] A site qualifies for a grant
36 under this section, if the following criteria are met:

1 (1) the site is not scheduled for funding during the
2 current or next fiscal year under the Comprehensive
3 Environmental Response, Compensation, and Liability Act, United
4 States Code, title 42, section 9601, et seq. or under the
5 environmental response, and liability act under sections 115B.01
6 to 115B.24;

7 (2) the appraised value of the site after adjusting for the
8 effect on the value of the presence or possible presence of
9 contaminants using accepted appraisal methodology (i) is less
10 than 50 75 percent of the estimated cleanup project costs for
11 the site or (ii) is less than or equal to the estimated cleanup
12 costs for the site and the cleanup costs equal or exceed \$3 per
13 square foot for the site; and

14 (3) if the proposed cleanup is completed, it is expected
15 that the site will be improved with buildings or other
16 improvements and these improvements will provide a substantial
17 increase in the property tax base within a reasonable period of
18 time or the site will be used for an important publicly owned or
19 tax-exempt facility.

20 Sec. 16. Minnesota Statutes 1996, section 116J.556, is
21 amended to read:

22 116J.556 [LOCAL MATCH REQUIREMENT.]

23 (a) In order to qualify for a grant under sections 116J.551
24 to 116J.557, the municipality must pay for at least one-half
25 one-quarter of the project costs as a local match. The
26 municipality shall pay an amount of the project costs equal to
27 at least 12 percent of the cleanup costs from the municipality's
28 general fund, a property tax levy for that purpose, or other
29 unrestricted money available to the municipality (excluding tax
30 increments). These unrestricted moneys may be spent for project
31 costs, other than cleanup costs, and qualify for the local match
32 payment equal to 12 percent of cleanup costs. The rest of the
33 local match may be paid with tax increments, regional, state, or
34 federal money available for the redevelopment of brownfields or
35 any other money available to the municipality.

36 (b) If the development authority establishes a tax

1 increment financing district or hazardous substance subdistrict
2 on the site to pay for part of the local match requirement, the
3 district or subdistrict is not subject to the state aid
4 reductions under section 273.1399. In order to qualify for the
5 exemption from the state aid reductions, the municipality must
6 elect, by resolution, on or before the request for certification
7 is filed that all tax increments from the district or
8 subdistrict will be used exclusively to pay (1) for project
9 costs for the site and (2) administrative costs for the district
10 or subdistrict. The district or subdistrict must be decertified
11 when an amount of tax increments equal to no more than three
12 times the costs of implementing the response action plan for the
13 site and the administrative costs for the district or
14 subdistrict have been received, after deducting the amount of
15 the state grant.

16 Sec. 17. [116J.57] [UNDERGROUND PETROLEUM TANK REPLACEMENT
17 LOAN PROGRAM.]

18 Subdivision 1. [LOAN PROGRAM.] (a) The commissioner shall
19 establish and implement an underground petroleum tank
20 replacement loan program to facilitate the continued operation
21 of small gasoline retailers, as defined in section 115C.09,
22 subdivision 3e, paragraph (a), in this state.

23 (b) The commissioner may make a direct loan for the cost of
24 a replacement tank to a small gasoline retailer who has
25 dispensed less than 500,000 gallons of motor fuel during the
26 previous year who demonstrates an ability to repay the loan.
27 The interest rate on the loan shall not exceed three percent per
28 year, and the term of the loan may not exceed seven years.
29 Loans made under this subdivision may not exceed \$10,000 or the
30 total out-of-pocket expenses of the small gasoline retailer for
31 tank replacement, whichever is less. Payments on the principal
32 shall be credited to the petroleum tank fund under section
33 115C.08. The interest payments must be deposited in the state
34 treasury and credited to an account in the special revenue
35 fund. Money in this account is appropriated to the commissioner
36 for administrative expenses of the underground petroleum tank

1 replacement loan program.

2 Subd. 2. [APPROPRIATION.] An amount necessary is
3 appropriated from the petroleum tank release cleanup fund to the
4 commissioner of trade and economic development for the
5 underground petroleum tank replacement loan program established
6 under this section.

7 Subd. 3. [EXPIRATION.] This section expires January 1,
8 2000.

9 Sec. 18. Minnesota Statutes 1996, section 446A.072, is
10 amended by adding a subdivision to read:

11 Subd. 4a. [LOAN REPAYMENT; NEW DEVELOPMENT.] (a) For the
12 purposes of this subdivision, "loan" includes a loan that has
13 been forgiven under this section.

14 (b) A municipality that receives a supplemental assistance
15 loan under this section that, within 20 years after receiving
16 the assistance, extends sewer service to serve a residential,
17 industrial, or commercial development that is completed on
18 unplatted land after March 1, 1996, or that is on a lot whose
19 plat was recorded after that date, must repay a portion of the
20 loan to the authority before providing the sewer connection.
21 The commissioner shall calculate the amount to be repaid by
22 first determining the number of households included in the
23 extension financed by the original loan. The commissioner must
24 then determine the present value of the original loan amount.
25 The interest rate used to calculate the present value must be
26 equivalent to the interest rate on the loan made to the
27 municipality under section 446A.07 at the time of the original
28 supplemental assistance loan under this section. The
29 commissioner must then divide the present value of the loan by
30 the number of households included in the original loan. For an
31 extension to a residential development, the repayment to the
32 authority must be equal to the per household amount calculated
33 for the original loan multiplied by the number of households in
34 the proposed extension. For an extension to a commercial or
35 industrial development, the commissioner shall determine the
36 repayment to the authority by using the per household amount

1 calculated for the original loan to calculate a proportionally
 2 equivalent amount based on the projected wastewater discharge
 3 from the proposed development. The total repayments to the
 4 authority under this paragraph may not exceed the original
 5 amount of the supplemental assistance loan. The repayment must
 6 be processed as provided in subdivision 7.

7 (c) The authority shall waive the loan repayment if the
 8 commissioner determines that the community in which the sewer
 9 extension is undertaken meets the following conditions:

10 (1) there is a shortage of decent, safe, and affordable
 11 housing;

12 (2) the housing units served by the sewer extension are
 13 located in an incorporated area; and

14 (3) the housing units served by the sewer extension are
 15 moderately priced.

16 The authority shall also waive the loan repayment if the
 17 commissioner determines that the population of the community in
 18 which the sewer extension is undertaken has declined by more
 19 than ten percent since the preceding federal decennial census.

20 The commissioner shall provide the determinations made
 21 under this paragraph to the authority to be included in the
 22 reports required by subdivision 11.

23 Sec. 19. Laws 1994, chapter 643, section 3, subdivision 2,
 24 is amended to read:

25 Subd. 2. Restore and Renovate
 26 Capitol Building Exterior 5,000,000

27 To the commissioner of administration
 28 to renovate and improve the capitol
 29 including reroofing, repair of the roof
 30 balustrade, and Quadriga restoration,
 31 and for an exterior stone testing
 32 program. No more than \$35,000 of this
 33 appropriation is to the capitol area
 34 architectural and planning board for
 35 design review fees.

36 Sec. 20. Laws 1994, chapter 643, section 10, subdivision
 37 10, as amended by Laws 1995, First Special Session chapter 2,
 38 article 1, section 42, is amended to read:

39 Subd. 10. Rochester-Technical-College University
 40 Center Rochester 1,200,000

41 This appropriation is to the board of

1 trustees of the Minnesota state
2 colleges and universities for predesign
3 and design of an integrated campus in
4 accordance with this subdivision.
5 \$600,000 of this appropriation is
6 available immediately. The remainder
7 is available after a master academic
8 plan has been approved under clause (3)
9 and the technical college has been
10 sold, remodeling of student support
11 facilities, remodeling of facilities
12 for joint academic programming, and
13 construction of roads and other
14 infrastructure to integrate the campus
15 for the delivery of consolidated
16 college, state university, and
17 University of Minnesota programs at the
18 University Center Rochester. Planning
19 may include consideration of
20 codevelopment of facilities with local
21 units of government.

22 ~~(1) The board of trustees of the~~
23 ~~Minnesota state colleges and~~
24 ~~universities may enter into an~~
25 ~~agreement for the sale of the Rochester~~
26 ~~Technical College. The sale is~~
27 ~~contingent on the approval of the board~~
28 ~~of trustees and a determination by the~~
29 ~~board of trustees that the sale is~~
30 ~~consistent with its priorities. The~~
31 ~~sale price shall equal the appraised~~
32 ~~value if sold to independent school~~
33 ~~district No. 535, Rochester, or, if~~
34 ~~sold to any other party, the sale price~~
35 ~~shall not be less than the appraised~~
36 ~~value.~~

37 ~~It is the intent of the legislature~~
38 ~~that no technical college program~~
39 ~~reduction, apart from normal program~~
40 ~~review, shall occur as a result of this~~
41 ~~sale.~~

42 ~~(2) The sale shall not cause the~~
43 ~~technical college to lease space or to~~
44 ~~move to any temporary site.~~

45 ~~(3) Prior to the preparation of design~~
46 ~~documents, the post-secondary boards~~
47 ~~and the relevant campus staff shall~~
48 ~~jointly prepare a master academic plan~~
49 ~~for an integrated campus for the~~
50 ~~Rochester center facility. The boards~~
51 ~~shall consider the creation of a~~
52 ~~polytechnic university. The plan shall~~
53 ~~be submitted for review to the higher~~
54 ~~education finance divisions by January~~
55 ~~16, 1996, and must be approved by the~~
56 ~~legislature before the remaining~~
57 ~~\$600,000 of the appropriation is~~
58 ~~available.~~

59 ~~(4) The proceeds from the sale of the~~
60 ~~technical college are appropriated for~~
61 ~~the design and construction necessary~~
62 ~~to integrate technical college programs~~
63 ~~into the Rochester center and to add or~~
64 ~~modify space where necessary. The new~~
65 ~~technical college program space must be~~
66 ~~attached to and must maximize the~~

1 current-services, space, and programs
 2 of the technical college, community
 3 college, state university, and
 4 University of Minnesota cooperative
 5 campus. The state board of trustees
 6 may not begin construction of this
 7 project until the legislature has
 8 approved the construction plans.

9 (5) The state board of trustees shall
 10 develop a plan to relocate to the
 11 Austin, Paribault, and other
 12 Southeastern Minnesota campuses all
 13 Rochester campus programs that are not
 14 essential to the integrated mission
 15 planned for the Rochester center
 16 facility. This plan must be completed
 17 prior to preparing design documents for
 18 the technical college addition to the
 19 Rochester center.

20 (6) The state board of trustees shall
 21 consider relocating the horticulture
 22 technology program from the Rochester
 23 campus to the Austin campus of
 24 Riverland technical college before the
 25 start of the 1995-1996 academic year.

26 Sec. 21. Laws 1994, chapter 643, section 15, subdivision
 27 2, is amended to read:

28 Subd. 2. Bloomington Ferry Bridge 776317000 5,131,000

29 This appropriation is from the state
 30 transportation fund as provided in
 31 Minnesota Statutes, section 174.50, to
 32 match federal funds to complete
 33 construction of the Bloomington ferry
 34 bridge and approaches.

35 This appropriation is added to the
 36 appropriation in Laws 1993, chapter
 37 373, section 14, subdivision 2.

38 Sec. 22. Laws 1994, chapter 643, section 15, subdivision
 39 4, is amended to read:

40 Subd. 4. Local Bridge 1274457000 14,945,000
 41 Replacement and Rehabilitation

42 This appropriation is from the state
 43 transportation fund as provided in
 44 Minnesota Statutes, section 174.50, to
 45 match federal funds and to replace or
 46 rehabilitate local deficient bridges.

47 Political subdivisions may use grants
 48 made under this section to construct or
 49 reconstruct bridges, including:

50 (1) matching federal-aid grants to
 51 construct or reconstruct key bridges;

52 (2) paying the costs to abandon an
 53 existing bridge that is deficient and
 54 in need of replacement, but where no
 55 replacement will be made;

56 (3) paying the costs to construct a

1 road or street to facilitate the
2 abandonment of an existing bridge
3 determined by the commissioner to be
4 deficient, if the commissioner
5 determines that construction of the
6 road or street is more cost-efficient
7 than the replacement of the existing
8 bridge; and

9 (4) paying the costs of preliminary
10 engineering and environmental studies
11 authorized under Minnesota Statutes,
12 section 174.50, subdivision 6a.

13 Sec. 23. Laws 1994, chapter 643, section 19, subdivision
14 8, as amended by Laws 1995, First Special Session chapter 2,
15 article 1, section 45, is amended to read:

16 Subd. 8. Battle Point
17 Historic Site

350,000

18 This appropriation is to the Indian
19 Affairs Council for design of the
20 Battle Point historic site, preliminary
21 plans for which were authorized in Laws
22 1990, chapter 610, article 1, section
23 17, and Laws 1992, chapter 558, section
24 24, subdivision 5.

25 Notwithstanding Laws 1990, chapter 610,
26 article 1, section 17, the planned
27 educational center will be owned by
28 ~~independent-school-district-No--115,~~
29 ~~Cass-Lake-Bena~~ the state with custodial
30 control assigned to the Indian Affairs
31 Council, and is subject to Minnesota
32 Statutes, section 16A.695. The center
33 must be constructed on land leased to
34 the school-district state by the Leech
35 Lake Band of Chippewa Indians under a
36 ground lease having an initial term of
37 at least 20 years and a total term of
38 at least 40 years, including renewal
39 options. The ground lease must be
40 executed by the commissioner of
41 administration under Minnesota
42 Statutes, section 16B.24, subdivision
43 6, based on the recommendations of the
44 Indian Affairs Council, provided that,
45 notwithstanding the limitations of
46 section 16B.24, subdivision 6, the
47 lease must be for the initial term
48 described in this subdivision. The
49 ground lease must be administered by
50 the Indian Affairs Council. The school
51 district Indian Affairs Council must
52 contract with the Leech Lake Band to
53 operate the center on behalf of the
54 council. The center and all classes
55 and programs run by or through the
56 center must be open to the
57 public. Notwithstanding Minnesota
58 Statutes, section 3.922, for the
59 purposes of carrying out the duties
60 assigned to it in this subdivision, the
61 Indian Affairs Council is authorized to
62 assume custodial control over the
63 planned educational center, administer
64 the ground lease, enter into the

contract described in this subdivision
with the Leech Lake Band to operate the
center, and take any other action
necessary to carry out the duties
assigned to it in this subdivision and
to a public officer or agency by
Minnesota Statutes, section 16A.695.

Sec. 24. Laws 1994, chapter 643, section 23, subdivision
28, as amended by Laws 1995, First Special Session chapter 2,
article 1, section 48, is amended to read:

Subd. 28. Environmental
Learning Centers

11,500,000

This appropriation is to the
commissioner of natural resources to
plan, design, and construct facilities
owned by political subdivisions at
residential environmental learning
centers as provided in this subdivision
and new Minnesota Statutes, section
84.0875.

The appropriations in items (a) through
~~(e)~~ and (b) are available as follows:
(1) of the \$7,500,000 total, \$5,000,000
is available only when the commissioner
has determined that matching money in
the sum of \$12,500,000, up to 25
percent of which may consist of loans,
has been committed by nonstate
sources for predesign, design, and
construction of the facilities named in
items (a) and (b), and the following
privately owned residential
environmental learning centers: Wolf
Ridge Environmental Learning Center,
Northwoods Audubon Center, and
Southeastern Minnesota Forest Resource
Center; and (2) the remaining
\$2,500,000 is available to the extent
that matching money, which may include
loans, in the amount of \$2 \$1 for each
\$1 of state money is committed by
nonstate sources, as determined by the
commissioner, provided that money may
not be spent under this sentence until
the amount available, including
matching any money from nonstate
sources that is allocated to a facility
in item (a) or (b), is sufficient to
complete a functional improvement at
the facility. Up to 25 percent of the
total amount of money committed by
nonstate sources under this subdivision
may consist of loans.

After the first \$12,500,000 has been
committed by nonstate sources for the
Long Lake Conservation Center, the Deep
Portage Conservation Reserve, the Wolf
Ridge Environmental Learning Center,
the Northwoods Audubon Center, and the
Southeastern Minnesota Forest Resource
Center, the appropriations in items (a)
and (b) must be distributed and
administered separately for each
facility. Money from nonstate sources

1 required for the balances of the
 2 appropriations in items (a) and (b)
 3 must be committed as required in this
 4 section for each facility separately to
 5 allow functional improvements, but work
 6 at the facilities need not proceed
 7 simultaneously. Funds raised or
 8 borrowed after January 1, 1992, and
 9 spent or committed to be spent for
 10 predesign, design, or construction of
 11 these facilities are eligible to count
 12 toward the required commitment from
 13 nonstate sources, and, upon proper
 14 application, nonstate money spent after
 15 that date for qualified capital
 16 expenditures at the Long Lake
 17 Conservation Center and the Deep
 18 Portage Conservation Reserve shall be
 19 reimbursed by the commissioner from
 20 money appropriated for these
 21 facilities, to allow the nonstate money
 22 to be used for qualified capital
 23 expenditures at the Wolf Ridge
 24 Environmental Learning Center, the
 25 Northwoods Audubon Center, and the
 26 Southeastern Minnesota Forest Resource
 27 Center.

28 The predesign and design requirements
 29 of Minnesota Statutes, section 16B.335,
 30 do not apply to the specific
 31 appropriations for these facilities in
 32 this section.

33 (a) Long Lake Conservation Center ±72007000 3,370,000

34 This appropriation is for a grant to
 35 Aitkin county.

36 (b) Deep Portage Conservation Reserve ±74707000 4,130,000

37 This appropriation is for a grant to
 38 Cass county.

39 ~~(c)-Wolf-Ridge-Environmental~~
 40 ~~Learning-Center~~ 271007000

41 ~~This-appropriation-is-for-a-grant-to~~
 42 ~~independent-school-district-No.-3817~~
 43 ~~Lake-Superior-~~

44 ~~(d)-Northwoods-Audubon-Center~~ ±70007000

45 ~~This-appropriation-is-for-a-grant-to~~
 46 ~~independent-school-district-No.-25807~~
 47 ~~East-Central-~~

48 ~~(e) (c) Forest-Resource Eagle Bluff~~
 49 ~~Environmental Learning Center~~ ±76507000

50 ~~This-appropriation-is-for-a-grant-to~~
 51 ~~independent-school-district-No.-2297~~
 52 ~~Hanesboro-~~

53 If land and improvements in Fillmore
 54 county that were conveyed by the state
 55 to Southern Minnesota Forest Resource
 56 Center under Laws 1990, chapter 452,
 57 section 7, are pledged as security for
 58 a loan to assist-with-the-completion-of
 59 this-project provide financing for the

1 predesign, design, or construction of
 2 environmental education facilities at
 3 the Eagle Bluff Environmental Learning
 4 Center, the right of reverter retained
 5 by the state is waived in favor of the
 6 lender.

7 For the purposes of this subdivision,
 8 "nonstate source" means a source of
 9 money other than a direct state
 10 appropriation for an environmental
 11 learning center.

12 ~~(f)~~ (d) Agassiz Environmental
 13 Learning Center 300,000

14 This appropriation is for a grant to
 15 the city of Fertile.

16 ~~(g)~~ (e) Laurentian Environmental
 17 Learning Center 450,000

18 This appropriation is for a grant to
 19 independent school district No. 621,
 20 Mounds View.

21 ~~(h)~~ (f) Prairie Woods
 22 Environmental Learning Center 250,000

23 This appropriation is for a grant to
 24 Kandiyohi county.

25 ~~(i)~~ (g) Prairie Wetlands
 26 Environmental Learning Center 3,000,000

27 This appropriation is for a grant to
 28 the city of Fergus Falls.

29 Appropriations in this subdivision must
 30 be used for qualified capital
 31 expenditures.

32 Sec. 25. Laws 1994, chapter 643, section 23, is amended by
 33 adding a subdivision to read:

34 Subd. 31. St. Croix Valley
 35 Heritage Center 150,000

36 To the commissioner of natural
 37 resources for a grant to the city of
 38 Taylor's Falls to prepare a preliminary
 39 design for a heritage center, subject
 40 to Minnesota Statutes, section 16A.695.

41 Sec. 26. Laws 1996, chapter 407, section 8, subdivision 3,
 42 is amended to read:

43 Subd. 3. Parks and Trails

44 (a) Metropolitan Regional Park System ~~±70007000~~ 850,000

45 This appropriation is from the future
 46 resources fund for payment by the
 47 commissioner of natural resources to
 48 the metropolitan council for subgrants
 49 to rehabilitate, develop, acquire, and
 50 retrofit the metropolitan regional park
 51 system consistent with the metropolitan
 52 council regional recreation open space

1 capital improvement program.

2 This appropriation may be used for the
3 purchase of homes only if the purchases
4 are expressly included in the work
5 program approved by the legislative
6 commission on Minnesota resources.

7 (b) State Park and Recreation
8 Area Acquisition

1,000,000

9 This appropriation is from the trust
10 fund to the commissioner of natural
11 resources for acquisition of land
12 within the statutory boundaries of
13 state parks and recreation areas.

14 (c) Local Grants

895,000

15 This appropriation is from the future
16 resources fund to the commissioner of
17 natural resources to provide matching
18 grants to local units of government for
19 local park and recreation areas; trail
20 linkages between communities, trails,
21 and parks; and at least \$100,000 for
22 the conservation partners program as
23 provided in Laws 1995, chapter 220,
24 section 19, subdivision 4, paragraph
25 (e). In addition to the required work
26 program, grants may not be approved
27 until grant proposals to be funded have
28 been submitted to the legislative
29 commission on Minnesota resources, and
30 the commission has either made a
31 recommendation or allowed 60 days to
32 pass without making a recommendation.
33 The above appropriations are available
34 half for the seven-county metropolitan
35 area and half for outside the
36 metropolitan area. For the purposes of
37 this paragraph, match includes nonstate
38 contributions in either cash or in-kind.

39 (d) Chippewa County Regional Trail

410,000

40 This appropriation is to the
41 commissioner of natural resources from
42 the future resources fund for a grant
43 to the city of Montevideo for
44 acquisition and development of the
45 Chippewa county regional trail.

46 Sec. 27. Laws 1996, chapter 463, section 7, subdivision 9,
47 is amended to read:

48 Subd. 9. Metro Regional Park
49 Rehabilitation, Acquisition, and
50 Development

~~9,400,000~~ 9,550,000

51 This appropriation is for payment by
52 the commissioner of natural resources
53 to the metropolitan council. The
54 commissioner shall pay the amount on a
55 reimbursement basis to the metropolitan
56 council upon receipt of a certified
57 copy of a council resolution requesting
58 payment. The appropriation must be
59 used to pay the cost of rehabilitation,
60 acquisition, and development by the

1 council and local government units of
2 regional recreational open-space lands
3 in accordance with the council's policy
4 plan as provided in Minnesota Statutes,
5 section 473.315. The metropolitan
6 council, in cooperation with the city
7 of St. Paul, must develop a plan and
8 fund the restoration of oak savannah
9 remnants in two regional parks in
10 Ramsey county. This appropriation must
11 not be used for research, planning,
12 administration, or tax equivalency
13 payments. This appropriation may be
14 used for the purchase of homes only if
15 the purchases are included in the work
16 program required by law and they are
17 expressly approved by the legislative
18 commission on Minnesota resources.

19 Sec. 28. Laws 1996, chapter 463, section 13, subdivision
20 2, is amended to read:

21 Subd. 2. Capital Asset
22 Preservation and Replacement (CAPRA) 12,000,000

23 To be spent in accordance with
24 Minnesota Statutes, section 16A.632.

25 Up to \$900,000 of the money
26 appropriated in this subdivision may be
27 used as necessary to renovate the
28 Governor's Residence in St. Paul for
29 life safety, code, security, and
30 ancillary storage facility improvements.

31 Up to \$600,000 of the money
32 appropriated in this subdivision may be
33 used to continue the electrical utility
34 infrastructure conversion of the
35 primary feeder loop system to a primary
36 selective system by rerouting the
37 system around the capitol.

38 In accordance with Minnesota Statutes,
39 section 16B.31, subdivision 6, the
40 commissioner of administration shall
41 identify the condition and suitability
42 of all major state buildings and office
43 space and report the commissioner's
44 findings by June 30, 1997, to the
45 chairs of the senate committee on
46 finance and the house of
47 representatives committees on ways and
48 means and on capital investment. The
49 report must identify the useful life,
50 the current condition, the estimated
51 cost of currently needed repairs, and
52 the suitability for the current state
53 purposes of all major state-owned
54 buildings and office space owned or
55 leased by the state. The legislature
56 intends to use the report in
57 considering future appropriations to
58 the commissioner of administration and
59 to state agencies for asset
60 preservation.

61 Sec. 29. Laws 1996, chapter 463, section 13, subdivision
62 4, is amended to read:

1 Subd. 4. Renovate Capitol
2 Building
3

7,400,000
8,435,000

4 \$4,800,000 is to predesign, design, and
5 reconstruct the northeast terrace and
6 predesign and design the northwest
7 terraces terrace of the capitol
8 building.

9 \$1,400,000 is to renovate the lantern
10 and related structures on the capitol
11 dome.

12 ~~\$1,200,000~~ \$2,235,000 is to predesign,
13 design, construct, furnish, and equip
14 the renovation of the capitol cafeteria
15 including full-service kitchen and
16 related spaces. The appropriation is
17 available after review and comment by
18 the council on disability.

19 The balance of the appropriation in
20 this subdivision that is not needed for
21 the projects specified may be used for
22 other structural stabilization projects
23 at the capitol or to improve the
24 capitol mall.

25 Sec. 30. Laws 1996, chapter 463, section 13, subdivision
26 8, is amended to read:

27 Subd. 8. Revenue Facilities
28 Design
29

1,950,000
74,950,000

30 To design, construct, furnish, and
31 equip new revenue department
32 facilities, including parking to
33 accommodate approximately 950 vehicles.
34 \$1,450,000 of this appropriation is not
35 available until the report required by
36 subdivision 10 has been completed.

37 Notwithstanding-Minnesota-Statutes,
38 section-15.507-subdivision-27-paragraph
39 (e),-plans-for-the-building-need-not-be
40 selected-through-a-design-competition-

41 The-plans-for-the-facilities-for-the
42 department-of-revenue-may-provide-for
43 two-or-more-buildings-in-separate
44 locations.--The-principal
45 administrative-offices-of-the
46 department-must-be-located-in-or-near
47 the-capitol-area.--Other-operations-may
48 be-located-outside-of-the-capitol-area
49 as-appropriate-and-conveniently
50 situated-for-efficient-operations-of
51 the-department-

52 The-design-development-phase-of-the
53 revenue-department-building-project
54 must-include-an-analysis-of-the-cost,
55 benefit,-and-operational-feasibility-of
56 relocating-revenue-department-jobs-to
57 areas-in-greater-Minnesota-

58 The commissioner of administration may
59 use a design-build method of project

1 development and construction for this
2 project. The commissioner may award a
3 design-build contract on the basis of
4 requests for proposals or requests for
5 qualifications without bids.

6 The building must be located within an
7 eight-mile radius of the capitol,
8 providing approximately 315,000 net
9 square feet, and at a cost not to
10 exceed \$74,950,000, including the
11 parking ramp, inflation adjustments,
12 and other contingencies.
13 Notwithstanding Minnesota Statutes,
14 section 15.50, subdivision 2,
15 paragraphs (c) and (e), if the building
16 is constructed within the capitol area
17 as defined in paragraph (a) of that
18 subdivision, plans for the building
19 need not conform to the comprehensive
20 plan for the area and need not be
21 selected through a design competition.

22 As an alternative to constructing a new
23 building, the commissioner of
24 administration may use this
25 appropriation to purchase the building
26 currently leased and occupied by the
27 department of revenue as its
28 headquarters at 10 River Park Place.
29 This appropriation may not be used to
30 remodel or renovate 10 River Park
31 Place. Any appropriation for those
32 purposes should be requested by the
33 commissioner of administration as part
34 of the 1998 capital budget.

35 If the commissioner of administration
36 determines that it is not feasible to
37 construct the new facilities within the
38 capitol area within the time allowed
39 and within the limits of this
40 appropriation, and that the
41 commissioner is not able to purchase
42 the building and land leased by the
43 state at 10 River Park Place for
44 \$23,000,000 or less, the commissioner
45 may locate the new facilities within
46 the city of Inver Grove Heights. If
47 the facilities are located within the
48 city of Inver Grove Heights, this
49 appropriation is reduced to \$46,000,000.

50 Sec. 31. Laws 1996, chapter 463, section 14, subdivision
51 7, is amended to read:

52 Subd. 7. Mariucci Ice
53 and Tennis Facility

7,000,000

54 To the board of regents of the
55 University of Minnesota to predesign,
56 design, construct, and equip a new
57 facility adjacent to Mariucci arena on
58 the Minneapolis campus to include an
59 ice-sheet one or more ice sheets and
60 tennis courts.

61 Sec. 32. Laws 1996, chapter 463, section 22, subdivision
62 8, is amended to read:

1 Subd. 8. Pickwick Mill 150,000

2 For a grant to Winona county for
3 renovation of the historic Pickwick
4 Mill.

5 This appropriation is from the
6 Minnesota future resources fund and is
7 available until June 30, 1999.

8 Sec. 33. Laws 1996, chapter 463, section 24, subdivision
9 8, is amended to read:

10 Subd. 8. Lyn/Lake/Jungle
11 Theatre Performing Arts Center 335,000

12 For a grant to Hennepin county to
13 design, construct, furnish, and equip
14 the Lyn/Lake/Jungle-Theatre community
15 performing arts center to provide a
16 community theater and rehearsal space,
17 offices, classrooms and meeting rooms
18 for performing arts organizations, arts
19 education, and arts development and
20 outreach in a formerly tax-forfeited
21 structure in Hennepin county. Hennepin
22 county may contract with a nonprofit
23 organization for operation of the
24 center, subject to Minnesota Statutes,
25 section 16A.695. This appropriation is
26 not available until the commissioner
27 has determined that at least \$1,630,000
28 has been committed by nonstate sources
29 to complete the Lyn/Lake/Jungle Theatre
30 main stage in a nearby building owned
31 and operated by the Jungle Theater and
32 that \$100,000 has been committed by
33 nonstate sources to complete the
34 community performing arts center. This
35 is the final state appropriation for
36 this project.

37 Sec. 34. Laws 1997, chapter 202, article 1, section 35, if
38 enacted, is amended to read:

39 Sec. 35. BOND SALE SCHEDULE

40 The commissioner of finance shall
41 schedule the sale of state general
42 obligation bonds so that, during the
43 biennium ending June 30, 1999, no more
44 than ~~\$545,457,000~~ \$560,457,000 will
45 need to be transferred from the general
46 fund to the state bond fund to pay
47 principal and interest due and to
48 become due on outstanding state general
49 obligation bonds. During the biennium,
50 before each sale of state general
51 obligation bonds, the commissioner of
52 finance shall calculate the amount of
53 debt service payments needed on bonds
54 previously issued and shall estimate
55 the amount of debt service payments
56 that will be needed on the bonds
57 scheduled to be sold, the commissioner
58 shall adjust the amount of bonds
59 scheduled to be sold so as to remain
60 within the limit set by this section.
61 The amount needed to make the debt